

C.I.A. Admits Domestic Denies 'Massive' Illeg

COLBY TESTIFIES

Discloses Project Led to Amassing Files on 10,000 Citizens

By SEYMOUR M. HERSH

Special to The New York Times

WASHINGTON, Jan. 15 — William E. Colby, Director of Central Intelligence, acknowledged at a Senate hearing today that his agency had infiltrated undercover agents into antiwar and dissident political groups inside the United States as part of a counterintelligence program that led to the accumulation of files on 10,000 American citizens.

But Mr. Colby, in a statement released after his appearance this morning before the Senate Appropriations Intelligence Subcommittee, denied an allegation published in The New York Times that the Central Intelligence Agency had engaged in a "massive, illegal domestic intelligence operation."

"Whether we strayed over the edge of our authority on a few occasions over the past 27 years," he said, "is a question for those authorized to investigate these matters to judge."

First Formal Response

In a 45-page statement, the first formal response by the C.I.A. to the published allegations of domestic spying, Mr. Colby acknowledged the following:

That at least 22 C.I.A. agents were recruited or inserted into "American dissident circles" as part of two separate programs by the agency to monitor such activities in the late 1960s and early 1970s.

That Richard Helms, the former C.I.A. director who is now Ambassador to Iran, authorized on Aug. 17, 1967, the establishment of a unit inside the agency's counterintelligence division to look into the possibility of foreign links to American dissident ele-

ments. That "in the course of this program, files were established on about 10,000 citizens in the counterintelligence unit." These files, which Mr. Colby said appeared to be "questionable" under the C.I.A.'s statutory authority, included materials generated by its agents in the field as well as reports forwarded from other Federal agencies, "some police forces, and several Congressional committees or developed from news clippings, casual informants, etc."

That the C.I.A. employed telephone taps "directed against 21 residents of the United States between 1951 and 1965," most of whom had a direct connection with the agency. Two of those taps, Mr. Colby said, were approved in advance by the Attorney General. The taps were on the phones of two private citizens who "were thought to be receiving sensitive intelligence information."

That the agency conducted three domestic break-ins in 1966, 1969 and 1971. A fourth attempt in 1971 was unsuccessful. In each case, the "involved premises related to agency employees or ex-employees."

That one former Congressman was included in the C.I.A.'s domestic counterintelligence file, and the agency does "have other files on current or former members of Congress." Some of the current files emanated from routine security clearance, but other members of Congress are being kept on file, he said, because "their names were included in reports received from other Government agencies or developed in the course of our foreign intelligence operations." Mr. Colby, in his report, specifically denied The New York Times's report of an allegation that at least one antiwar member of Congress had been placed under physical surveillance.

That physical surveillance of American citizens was conducted "on rare occasions" until as late as 1972 and usually against agency employees suspected of dealing with foreign agents. "In 1971 and 1972, physical surveillance was also employed against five Americans who were not C.I.A. employees" after the intelligence service received "clear indications" that the citizens were receiving classified information without authorization, the statement said. No further details were

given. That the C.I.A. between 1953 and 1973 "conducted several programs" to survey surreptitiously and open the private mail of American citizens who were corresponding with certain Communist countries. One of the unspecified programs took place in 1969, 1970 and 1971.

At no point in his statement did Mr. Colby name any of the agents involved in the domestic activities, nor did he name any of the C.I.A.'s targets.

Under the National Security Act of 1947 setting up the C.I.A., the agency was forbidden to have "police, subpoena, law enforcement powers or internal security functions" inside the United States. These responsibilities have fallen to the Federal Bureau of Investigation, which maintains a special internal security unit to deal with foreign intelligence threats.

The charges of C.I.A. domestic spying are under investigation by five Senate and House committees and subcommittees as well as by the eight-member blue-ribbon Rockefeller commission appointed by President Ford. The Senate is expected to consolidate its investigations by establishing a bipartisan select committee, similar to that set up to look into the Watergate break-in.

Pending that development, Mr. Colby's testimony today before the Senate subcommittee, headed by Senator John L. McClellan, Democrat of Arkansas, was the first of what may be dozens of similar appearances for him.

Mr. Helms also appeared today before the Senate subcommittee.

After the three-hour session, Senator McClellan said the five-member subcommittee had unanimously agreed that "an independent full investigation should be made because the charges that have been made reflect on the integrity" of the C.I.A.

"It is imperative for the fiction to be separated from the facts," he told newsmen.

"We know that some mistakes have been made," he said, adding that they were not as "continuous and massive as have been alleged."

In a statement this afternoon, Senator William Proxmire, Democrat of Wisconsin, declared:

"No simple statement that the C.I.A. merely overstepped its bounds is adequate. Nor can we find solace in the fact that now the C.I.A. has stopped such questionable activities."

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activities] to his attention for review."

"I have done so," Mr. Colby said, "although it is my opinion that none would properly be the subject of adverse action against men who performed their duties in good faith."

Mr. Colby's report did not discuss a number of the specific allegations published in The New York Times about the agency's domestic activities.

For example, The Times quoted well-informed Government sources as saying that C.I.A. agents had been authorized to photograph many participants in antiwar and other demonstrations.

Similarly, a former undercover agent told The Times, in an interview published Dec. 29, that he was one of many agents ordered to penetrate radical groups in New New York while working for a branch of the C.I.A.'s clandestine services known as the Domestic Operations Division.

In his report, Mr. Colby said that the Domestic Operations Division, renamed the Foreign Resources Division in 1972, had representatives in eight American cities working under cover "to enable" to contact foreigners who might initially reject a C.I.A. connection. But he neither denied nor confirmed reports that some undercover domestic operatives

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